

*Jennifer Louise Jenkins, Administrator ad Litem of the Estate of Sterling L. Higgins  
v. Obion County, Tennessee, et al.*

No. 20-cv-01056 STA-dkv

Exhibit 8  
Excerpts from the Deposition of Brendon Sanford

1  
2 IN THE UNITED STATES DISTRICT COURT  
3 FOR THE WESTERN DISTRICT OF TENNESSEE  
4 EASTERN DIVISION

5 JENNIFER LOUISE JENKINS, )  
6 Administrator *ad Litem* of the )  
7 ESTATE OF STERLING L. HIGGINS, )  
8 Plaintiff, )  
9 v. ) CIVIL ACTION NO.  
10 ) 1:20-cv-01056-STA-dkv  
11 OBION COUNTY SHERIFF'S )  
12 DEPARTMENT; OBION COUNTY, )  
13 TENNESSEE; UNION CITY POLICE )  
14 DEPARTMENT; UNION CITY, )  
15 TENNESSEE; ROBERT THOMAS )  
16 ORSBORNE, Individually; MARY )  
17 BROGLIN, Individually; WAYLON )  
18 SPAULDING, Individually; and )  
19 BRENDON SANFORD, Individually, )  
20 Defendants. )

21  
22  
23 **THE VIDEOTAPE DEPOSITION OF MR. BRENDON SANFORD**

24 October 29, 2020

25 SCHAFFER REPORTING SERVICE  
JILL A. SCHAFFER, RPR  
P.O. Box 3214  
Jackson, Tennessee 38303  
(731) 668-6880



1 A Yes, sir.

2 Q (By Mr. Budge) And was it important for you in  
3 all of your jobs, Obion County Jail included, to follow  
4 the training provided to you by your employers?

5 MR. TILLY: Object to the form.

6 A Yes, sir.

7 Q (By Mr. Budge) And did you always do your best in  
8 connection with the jobs where you worked to follow the  
9 policies and procedures and protocols of your  
10 employers?

11 MR. TILLY: Object to the form.

12 A Yes, sir.

13 Q (By Mr. Budge) And did you expect that your  
14 employers, Obion County included, would provide you  
15 with the training that you needed to do your job?

16 A Yes, sir.

17 Q Did you expect that the Obion County Jail would  
18 provide you with the training that you needed to do  
19 your job as a corrections officer?

20 A Yes, sir.

21 Q Did you expect that the Obion County Jail would  
22 make sure that you were familiar with and understood  
23 any policies, procedures, or jail customs that you  
24 needed to do your job properly and safely?

25 MR. TILLY: Object to the form.

1 tell me when you've got that in front of you.

2 A I got it in front of me now.

3 Q Okay. Do you see about halfway down the page  
4 under "Current Period," the date 1/1/2019 to 4/17/2019,  
5 where it says "No current year training data exists"?

6 A Yes, sir.

7 Q Okay. Looking through the entirety of this  
8 document that you've got in front of you, do you see of  
9 any record of your have having had any training of any  
10 kind in connection with the Obion County Jail before  
11 March 25, 2019?

12 MR. TILLY: Object to the form.

13 A No, sir.

14 Q (By Mr. Budge) Are you aware of any record of any  
15 kind that shows that you got any training of any kind  
16 in connection with your work at the jail between the  
17 time you were hired on or about February 20th until the  
18 date Sterling Higgins came into the jail on about  
19 March 25th, 2019?

20 MR. TILLY: Object to the form.

21 A See, I was -- I was shadowing other workers, and  
22 they were showing me how to do the procedures and  
23 policies.

24 Q (By Mr. Budge) So you're talking about sort of  
25 following somebody else around the jail that works the

1 compression technique?

2 MR. TILLY: Object to the form.

3 A No, sir.

4 Q (By Mr. Budge) Did they tell you about anything  
5 you could do to have an inmate pass out or go  
6 unconscious for -- for a bit?

7 A No, sir.

8 Q Did they -- did you get any training before  
9 Sterling Higgins came into the jail on spit hoods or  
10 spit masks?

11 A If I can remember, I heard about them, but I  
12 never -- you know, I never had any training with them.  
13 I -- I -- mentioned them about spit masks before, but I  
14 never was trained on them, how to use them.

15 Q What about the restraint chair? Had anybody ever  
16 trained you before Sterling Higgins came into the jail  
17 about the restraint chair?

18 A No, sir.

19 Q Had you ever used the restraint chair before  
20 Sterling Higgins came into the jail?

21 A No, sir.

22 Q Had you ever seen it used on anybody before  
23 Sterling Higgins came into the jail?

24 A No, sir.

25 Q Had you ever been trained on how to monitor

1 somebody who's been put into or is being put into a  
2 restraint chair?

3 A Not that I can remember.

4 Q Have you ever been trained about how to strap  
5 somebody into a restraint chair?

6 A No, sir.

7 Q Have you ever been trained about how to medically  
8 monitor somebody or otherwise monitor somebody who's  
9 been put into a restraint chair?

10 MR. TILLY: Object to the form.

11 A Not that I can remember.

12 Q (By Mr. Budge) And I take it if you had been  
13 trained on those things that you would have endeavored  
14 to follow whatever training that had been provided to  
15 you. Right?

16 MR. TILLY: Object to the form.

17 A Yes, sir.

18 Q (By Mr. Budge) Have you ever been asked to  
19 familiarize yourself with any written policies or  
20 procedures regarding the use of a restraint chair  
21 before Sterling Higgins came into the jail?

22 MR. TILLY: Object to the form.

23 A Not that I can remember.

24 Q (By Mr. Budge) Were you aware of any written  
25 policies or procedures regarding the use of a restraint

1 chair before Sterling Higgins came into the jail?

2 MR. TILLY: Object to the form.

3 A I do not remember if I did or I did not.

4 Q (By Mr. Budge) Were you even aware that there was  
5 a written policy at the Obion County Sheriff's Office  
6 about the use of a restraint chair?

7 A Not that I can remember.

8 Q If you had been asked to familiarize yourself with  
9 the written policy regarding use of a restraint chair,  
10 would you have done that?

11 A Can you repeat that?

12 Q If you'd been asked to familiarize yourself with a  
13 written policy on the use of a restraint chair, would  
14 you have done that?

15 A Yes, sir.

16 Q And would you have endeavored to follow the  
17 written policies if you had been asked to familiarize  
18 yourself with the written policies regarding a  
19 restraint chair?

20 A Yes, sir.

21 Q Before Sterling Higgins came into the jail, were  
22 you ever trained on when or how to summon emergency  
23 assistance for inmates or detainees who might be limp  
24 or unresponsive?

25 MR. TILLY: Object to the form.

1 A Well, we have intake usually -- whoever -- the  
2 sergeant of the shift will go out there, and if they  
3 look like they need medical attention, we can tell  
4 the -- the cop or the -- whoever is bringing them will  
5 take them to a hospital before they can be booked in or  
6 come to the jail.

7 Q (By Mr. Budge) Okay. But let me -- let me repeat  
8 my question. Were you ever trained before Sterling  
9 Higgins came into the jail about when or how to summon  
10 emergency assistance for an inmate or detainee who has  
11 gone limp or unresponsive?

12 A No, sir.

13 MR. TILLY: Object to the form.

14 Q (By Mr. Budge) Were you ever trained about what  
15 to do if an inmate suddenly goes limp during restraint?

16 MR. TILLY: Object to the form.

17 A No, sir.

18 Q (By Mr. Budge) Were you ever trained about when  
19 to call for medical or mental health assistance for an  
20 inmate or a detainee who might be mentally impaired or  
21 under the influence of drugs?

22 MR. TILLY: Object to the form.

23 A If we feel like there was something wrong, we will  
24 tell the sergeant, and they would call.

25 Q (By Mr. Budge) But listen to my question. Were

1 you ever trained before Sterling Higgins came into the  
2 jail about when to call for medical or mental health  
3 assistance for inmates or detainees who might be  
4 mentally impaired or under the influence of drugs?

5 MR. TILLY: Object to the form.

6 A Not that I remember, sir.

7 Q (By Mr. Budge) Were you ever trained about  
8 asphyxia, including positional asphyxia or any form of  
9 restraint-related asphyxia or suffocation?

10 MR. TILLY: Object to the form.

11 A Can you repeat that?

12 Q (By Mr. Budge) Were you ever trained about  
13 asphyxia, including positional asphyxia or  
14 compressional asphyxia or any other form of  
15 restraint-related asphyxia or suffocation?

16 MR. TILLY: Object to the form.

17 A What does asphyxia mean?

18 Q (By Mr. Budge) Lack of oxygen.

19 A No, sir.

20 Q Were you ever trained about any duty to  
21 accommodate inmates or detainees who might be  
22 exhibiting signs of mental illness?

23 MR. TILLY: Object to the form.

24 A I do not remember.

25 Q (By Mr. Budge) Were you ever trained about

1 dealing with people who might be exhibiting signs of  
2 intoxication from drugs?

3 MR. TILLY: Object to the form.

4 A Can you repeat that?

5 Q (By Mr. Budge) Were you ever trained about  
6 dealing with people who might be exhibiting signs of  
7 intoxication from drugs?

8 MR. TILLY: Same objection.

9 A I do not remember, sir.

10 Q (By Mr. Budge) Before Sterling Higgins came into  
11 the jail, were you ever trained about any  
12 constitutional limitations on the use of force against  
13 inmates or detainees?

14 MR. TILLY: Object to the form.

15 A Can you repeat that?

16 Q (By Mr. Budge) Before Sterling Higgins came into  
17 the jail, were you ever trained about any  
18 constitutional limits on the use of force against  
19 inmates or detainee?

20 A I do not remember, sir.

21 Q Before Sterling Higgins came into the jail, were  
22 you ever trained about whether or not you had a duty to  
23 intervene if you ever saw a fellow officer using  
24 excessive force or unreasonable force?

25 MR. TILLY: Object to the form.

1 A Not that I can remember, but if I felt like it was  
2 out of -- if they were doing something out of hand, I  
3 would have stepped in.

4 Q (By Mr. Budge) Were you ever trained about that  
5 is my question.

6 A Not that I can remember.

7 Q And in terms of your work at the Obion County Jail  
8 before Sterling Higgins came into the jail, were you  
9 ever required to read any written policies or  
10 procedures of the Obion County Sheriff's Office?

11 And I'm not talking about, you know, personnel  
12 forms, like, you know, how to get paid and stuff like  
13 that. I'm talking about your job as a corrections  
14 officer.

15 A I do not remember, sir.

16 Q Do you think you probably would have remembered if  
17 you had any training on -- on those topics before  
18 Sterling Higgins came into the jail?

19 MR. TILLY: Object to the form.

20 A Maybe, but that was -- it's been years since it  
21 happened -- since I started, so I couldn't really tell  
22 you, to be honest. I really don't know.

23 Q (By Mr. Budge) But your training record doesn't  
24 reflect that you had any training on those topics  
25 before Sterling Higgins came into the jail. Right?

1 MR. TILLY: Object to the form.

2 A Yes, sir.

3 Q (By Mr. Budge) Yes, sir, it does not?

4 MR. TILLY: Object to the form.

5 A I didn't go to --

6 Q (By Mr. Budge) In other words, that --

7 A Can you repeat --

8 Q In other words, that is correct? I don't mean to  
9 interrupt you. If I'm ever cutting you off, you just  
10 let me know.

11 But I just want to clarify for the record your  
12 training record does not reflect that you had any  
13 training on any topics that I've just mentioned.  
14 Right? Before Sterling Higgins came into the jail.

15 MR. TILLY: Same objection.

16 A Besides shadowing those officers, no, sir. I've  
17 had no other training besides shadowing those officers.

18 Q (By Mr. Budge) And if you had had any training,  
19 you would have always endeavored to follow that  
20 training from the point for -- that point forward;  
21 right?

22 A Yes, sir.

23 Q Now, eventually in connection with your work at  
24 the jail, were you required to complete 40 hours of  
25 training through the Tennessee Correctional Institute,

1 or the TCI for short?

2 A I -- if I'm -- I think that's after your first  
3 year. After you go through basics, after that then you  
4 do 48 hours every year after that one -- one time a  
5 year.

6 Q Did you ever complete 48-hours of training with  
7 the Tennessee Correctional Institute, or TCI?

8 A No, sir.

9 Q Did you ever go to any TCI class or course?

10 A Oh, basics.

11 Q I'm sorry?

12 A Basic training.

13 Q When was that?

14 A Oh, July 23rd, 2019, through July two -- 26th,  
15 2019.

16 Q And are you looking at Exhibit 2 at page 380 in  
17 the lower right-hand corner?

18 A Yes, sir.

19 Q And are you looking at where it says "Basic Henry  
20 County" three -- "7/23/2019"?

21 A Yes, sir.

22 Q And can you tell me why it says your grade is  
23 zero percent?

24 A Looked at that wrong then because I did go to  
25 basics, but that was Sep -- August or September --

1 and I didn't finish the tests because I --

2 Q Why didn't you finish the test?

3 A Because when I went to basics, I got confused on  
4 which two things -- like, there were two different  
5 websites we had to work from, to learn from. And I --  
6 they told me the right one -- I think it was the second  
7 to last day of basics, so I was working on it after  
8 basics, completing the test.

9 And then I end up leaving the job after that, so I  
10 never completed the test online.

11 Q So did you ever complete a test that showed that  
12 you successfully completed basic training when you  
13 worked as a corrections officer for Obion County?

14 A Yes. The test -- the handwritten test that's in  
15 Madison County I did complete.

16 Q As of March 25th, 2019, did you have any CPR  
17 training or certifications?

18 A No, sir.

19 Q As of March 25th, 2019, did you have any first aid  
20 training or certification?

21 A No, sir.

22 Q As of March 25th, 2019, did you know anything  
23 about how to recognize agonal breathing as distinct  
24 from normal breathing?

25 A No, sir.

1 Q Do you know what agonal breathing is that's  
2 distinct from normal breathing as you sit here today?

3 A No, sir.

4 Q As of March 25th, 2019, did you know how to check  
5 for pupil reactivity?

6 A No, sir.

7 Q Did you know the proper way to check for pulse?

8 A No, sir.

9 Q Did you know the signs or symptoms of hypoxia or  
10 anoxia?

11 A What does that mean?

12 Q Let's say problems from lack of oxygen.

13 A No, sir.

14 Q Did you know first aid?

15 A No, sir.

16 Q Do you know one way or the other whether your --  
17 any of your fellow officers on shift on August --  
18 excuse me -- March 25th, 2019, had any CPR training?

19 A We did not.

20 Q As of March 25th, 2019, when Sterling Higgins came  
21 into the jail, were you ordinarily assigned to work  
22 third shift?

23 A Yes, sir. That was my assigned shift when I got  
24 hired on.

25 Q And were you usually working the third shift

(The video was resumed and paused.)

Q (By Mr. Budge) All right. Now, in this paused image at 1:48:17, you -- we can see that you have the shackles in your hands. Right?

A Yes, sir.

Q And have you -- had you ever used leg shackles before?

A Yes, sir.

Q How many times would you say before August 25th -- excuse me -- February -- March 25th?

A I don't know the number of times, but we have federal court, and the inmates are shackled whenever we get ready --

Q And is it --

A -- for court, so we shackle the legs.

Q Have you ever used shackles on somebody that has -- because you thought they were unruly?

A No, sir.

Q Okay. All right. I'll play and pause it to 1:49 a.m.

(The video was resumed and paused.)

Q (By Mr. Budge) All right. Now, in this paused image at 1:49 a.m., we can see that you and Officer Brogglin and Officer Orsborne are putting the shackles on Sterling Higgins' ankles. Right?

1 really watching the time on the video. I was watching  
2 the video, not the time.

3 Q Well, I think we'll let the video speak for  
4 itself. By 1:49 and 5 seconds, Sterling Higgins'  
5 ankles are shackled together; correct?

6 A Yes, sir.

7 Q And he's on his back handcuffed behind his back  
8 with Officer Spaulding on top of him. Correct?

9 A Yes, sir.

10 Q And then from that point on, you -- you pretty  
11 much stay right there, looking down at the scene.  
12 Correct?

13 A Yes, sir.

14 Q All right. I'm going to play and pause it to  
15 1:49 a.m. and 32 seconds.

16 (The video was resumed and paused.)

17 Q (By Mr. Budge) Oh, in -- in this paused image --  
18 excuse me -- at 1:49 a.m. and 10 seconds, where would  
19 you describe Officer Spauld -- Spaulding's --  
20 Spaulding's hands being?

21 A It would be -- it was on his chin, but his hand  
22 was a couple inches, like a centimeter's inch away from  
23 his mouth, stopping the spit.

24 Q In this particular paused image, where is  
25 Officer Spaulding's left hand, in your judgment?

1       you're -- you're working on the straps, going around  
2       the chair, touching Sterling Higgins, adjusting the  
3       straps, so on and so forth, you -- you never see  
4       Sterling Higgins' fingers, toes, face, eyes move.  
5       Correct?

6                       MR. TILLY: Object to the form.

7       A       I mean, I mainly paid attention to putting the  
8       straps on, so...

9       Q       (By Mr. Budge) But you -- you never saw Sterling  
10       Higgins' fingers, eyes, toes, or face move. Correct?

11                      MR. TILLY: Object to the form.

12       A       I was putting the straps on, so that was my focus  
13       was strapping him in.

14       Q       (By Mr. Budge) Well, if you get him -- if we go  
15       to trial here and you say, "I saw him move," while you  
16       were putting him in the restraint chair, I want to make  
17       sure that I covered that, so that's why I'm asking the  
18       question.

19                      So let me repeat it. The whole time you were  
20       putting him in the restraint chair you never saw his  
21       fingers or toes or eyes or face move. Correct?

22                      MR. TILLY: Object to the form.

23       A       Yes, sir.

24       Q       (By Mr. Budge) "Yes, sir," meaning you did not  
25       see that.

1 MR. TILLY: Object to the form.

2 A Yes, sir.

3 Q (By Mr. Budge) Now I'd like you to watch  
4 Officer Spaulding in this next short segment that I'm  
5 going to play, beginning at 2 minutes -- excuse me --  
6 2 a.m. and 44 seconds.

7 (The video was resumed and paused.)

8 Q (By Mr. Budge) I've paused it at 2 minutes and  
9 55 seconds. Did you see Officer Spaulding move  
10 Sterling Higgins' head?

11 A Are you speaking at the time or on -- watching the  
12 video right now?

13 Q In the video right now.

14 A Yes, sir.

15 Q And can you describe for me what happened?

16 MR. TILLY: Object to form.

17 A No, sir. I don't...

18 (The video was resumed and paused.)

19 Q (By Mr. Budge) All right. I -- I paused the  
20 video now at 2 minutes -- excuse me -- at 2 a.m. and  
21 59 seconds. Can you describe for me what you're doing  
22 in this paused image?

23 A I can't really tell, sir.

24 Q Are you checking him for a pulse?

25 MR. TILLY: Object to the form.

1 THE REPORTER: The only one that is  
2 hard-wired to the router is on the witness.

3 MR. BURLESON: Okay. I -- I'm back now.  
4 Are you back?

5 MR. MAULDIN: Now.

6 Q (By Mr. Budge) Do you want me to repeat the  
7 question, Mr. Sanford?

8 A Yes, sir. Yes, sir. Can you repeat the question?

9 Q Can you tell me -- can you tell me whether you  
10 ever felt a pulse on Sterling Higgins?

11 MR. TILLY: Object to the form.

12 A When he was in the holding cell, I didn't feel  
13 one.

14 Q (By Mr. Budge) Can you tell me if you ever felt a  
15 pulse on Sterling Higgins when he was in the hallway?

16 MR. TILLY: Object to the form.

17 A I can't remember, sir.

18 Q (By Mr. Budge) Can you tell me whether by this  
19 point in time, 2:01 a.m. and 6 seconds, whether you're  
20 starting to get worried about Sterling Higgins, or do  
21 you just not remember?

22 MR. TILLY: Object to the form.

23 A Say I was -- I was aware if he was okay from what  
24 was happening, the struggling, feels okay.

25 Q (By Mr. Budge) Can -- can you tell me whether

1 )  
STATE OF TENNESSEE ) C E R T I F I C A T E  
2 )

3 I, Jill A. Schaffer, Registered  
4 Professional Reporter and Notary Public for the State  
5 of Tennessee, hereby certify that the witness in the  
6 foregoing deposition, **MR. BRENDON SANFORD**, was first  
7 duly sworn by me, that the testimony of the witness was  
8 written stenographically by me, and that such  
9 deposition is a true and accurate record of the  
10 testimony given by said witness on the 29th day of  
11 October, 2020.

12 I further certify that I am neither  
13 related to nor employed by any of the parties to this  
14 cause of action or their counsel, nor am I financially  
15 interested in the outcome of this matter.

16 I further certify that in order for this  
17 document to be authentic it must bear my original  
18 signature and embossed notarial seal, that reproduction  
19 in whole or in part is not allowed or condoned, and  
20 that such reproductions are deemed a forgery.

21 Witness my hand and seal at my office on  
22 this the 23rd day of November, 2020.

23  
24 My Commission Expires: Jill A. Schaffer, RPR, TN #375  
August 25, 2021 Notary Public at Large for the  
25 My License Expires: State of Tennessee  
June 30, 2022